IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,
             Plaintiff,

vs.

BUONGKHOY DANIEL WAL,
             Defendant.

CASE NO: **4:22CR3148**

DETENTION ORDER

On the government's motion, the court afforded the defendant an opportunity for a detention hearing under the Bail Reform Act, 18 U.S.C. § 3142(f). The court concludes the defendant must be detained.

Based on the information of record, the court finds by clear and convincing evidence that defendant must remain detained to insure his safety and the safety of others. 18 U.S.C.A. § 5034.

Specifically, the defendant is charged with juvenile delinquency, but the underlying crimes alleged involve the use of firearms during the commission of a drug transaction, with people seriously and permanently injured during the course of the crime. The defendant uses marijuana. He remains in state custody at this time. A motion to transfer this case for adult prosecution in federal court is pending. If that motion is granted, the drug and firearms charges would carry a presumption of detention. The defendant offered no evidence to rebut any presumption of detention.

The court has considered but does not currently know of any conditions of release or combination of conditions that would sufficiently ameliorate the risks posed if the defendant is released.

Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of the United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

Dated November 7, 2022.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge